

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE LIBOR-BASED FINANCIAL INSTRUMENTS ANTITRUST LITIGATION THIS DOCUMENT RELATES TO:	Master File No. 1:11-md-2262-NRB
FEDERAL DEPOSIT INSURANCE CORPORATION AS RECEIVER FOR AMCORE BANK, <i>et al.</i> , Plaintiff v. BANK OF AMERICA CORPORATION, <i>et al.</i> , Defendants.	No. 1:14-cv-01757

STIPULATION OF VOLUNTARY DISMISSAL

WHEREAS this Court previously dismissed certain claims asserted by Plaintiff the Federal Deposit Insurance Corporation as Receiver (“FDIC-R”) for Amcore Bank, *et al.* with prejudice and dismissed certain claims asserted by the FDIC-R without prejudice in the above-captioned multi-district litigation;

WHEREAS the FDIC-R seeks to withdraw the claims of the receiverships specified below, and no other claims in the above-captioned multi-district litigation:

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the FDIC-R as Receiver for BankUnited, F.S.B.; Community Banks of Colorado; Downey Savings & Loan Association, FA; Eurobank; First Community Bank; First Federal Bank of California, F.S.B.; First National Bank; First Regional Bank; Frontier Bank; Georgian Bank; Hillcrest Bank; Irwin Union Bank & Trust Company; LaJolla Bank; Midwest Bank and

Trust Company; Orion Bank; PFF Bank & Trust; Riverside National Bank of Florida; and Tier One Bank (“Dismissing Receiverships”), and Defendants Bank of America, N.A.; Merrill Lynch & Co.; Merrill Lynch Capital Services, Inc.; Merrill Lynch International Bank, Ltd.; Barclays Bank plc; Citigroup, Inc.; Citibank, N.A.; Citigroup Financial Products, Inc.; Deutsche Bank AG; JPMorgan Chase Bank, N.A.; Bear Stearns Capital Markets, Inc.; JPMorgan Markets Ltd. (F.K.A. Bear Stearns International Ltd.); J.P. Morgan Bank Dublin plc (F.K.A. Bear Stearns Bank plc); and UBS AG (collectively, “Answering Defendants”), by and through their undersigned attorneys, hereby stipulate to the dismissal of the claims asserted by the FDIC as Receiver for the Dismissing Receiverships only in the above-captioned action subject to the following terms:

1. The FDIC-R for the Dismissing Receiverships in the above-captioned multi-district litigation (“MDL”), withdraws and dismisses the claims against the Answering Defendants asserted by the Dismissing Receiverships only, without prejudice; provided that, if the FDIC-R were to reassert any claims as Receiver for the Dismissing Receiverships that have been dismissed by this Court with prejudice, those claims shall remain dismissed with prejudice, subject to any right to appeal or to seek reconsideration of the prior dismissal that the FDIC-R may have. Answering Defendants reserve the right to oppose any such appeal or reconsideration request.

2. The FDIC-R for the Dismissing Receiverships and Answering Defendants shall bear their own costs and attorneys’ fees in connection with the above-captioned MDL litigation.

3. The FDIC-R reserves all rights to make claims as Receiver for the Dismissing Receiverships as a class member in any future class settlements in the above-captioned MDL litigation as appropriate.

The FDIC-R as Receiver for the Dismissing Receiverships withdraws and dismisses the claims against the Answering Defendants asserted by the Dismissing Receiverships only, does not withdraw or dismiss any other claims in this matter asserted by any other Closed Bank that is not specified as a Dismissing Receivership and reserves its rights in all other respects.

Dated: June 24, 2020



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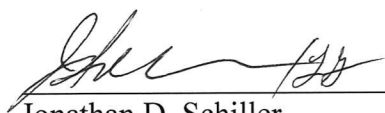
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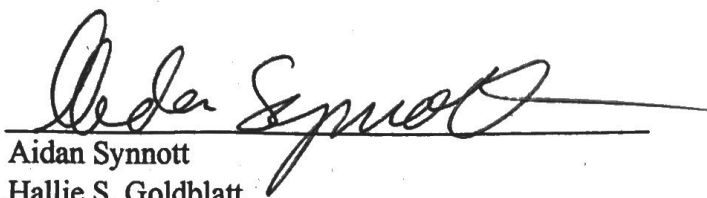
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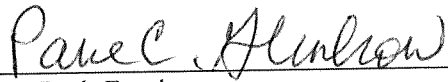
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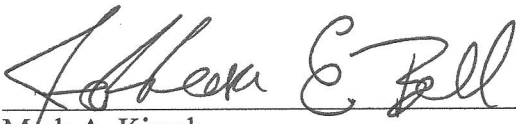
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ORDER OF DISMISSAL

This matter having come to be heard on the Parties' Stipulation of Voluntary Dismissal, the Court having reviewed the Stipulation, and being duly advised, it is HEREBY ORDERED THAT:

WHEREAS this Court previously dismissed certain claims asserted by Plaintiff the Federal Deposit Insurance Corporation as Receiver ("FDIC-R") for the Dismissing Receiverships specified below with prejudice and dismissed certain claims asserted by the FDIC-R for the Dismissing Receiverships without prejudice;

WHEREAS the FDIC-R seeks to withdraw its claims as Receiver for the Dismissing Receiverships specified below:

1. All claims asserted by the "FDIC-R" as Receiver for BankUnited, F.S.B.; Community Banks of Colorado; Downey Savings & Loan Association, FA; Eurobank; First

Community Bank; First Federal Bank of California, F.S.B.; First National Bank; First Regional Bank; Frontier Bank; Georgian Bank; Hillcrest Bank; Irwin Union Bank & Trust Company; LaJolla Bank; Midwest Bank and Trust Company; Orion Bank; PFF Bank & Trust; Riverside National Bank of Florida; and Tier One Bank against Defendants Bank of America, N.A.; Merrill Lynch & Co.; Merrill Lynch Capital Services, Inc.; Merrill Lynch International Bank, Ltd.; Barclays Bank plc; Citigroup, Inc.; Citibank, N.A.; Citigroup Financial Products, Inc.; Deutsche Bank AG; JPMorgan Chase Bank, N.A.; Bear Stearns Capital Markets, Inc.; JPMorgan Markets Ltd. (F.K.A. Bear Stearns International Ltd.); J.P. Morgan Bank Dublin plc (F.K.A. Bear Stearns Bank plc); and UBS AG (collectively, “Answering Defendants”) are dismissed from the above-captioned action in the above-captioned multi-district litigation (“MDL”) without prejudice; provided that, if the FDIC-R were to reassert any claims as Receiver for the Dismissing Receiverships that have been dismissed by this Court with prejudice, those claims shall remain dismissed with prejudice, subject to any right to appeal or to seek reconsideration of the prior dismissal that the FDIC-R may have. Answering Defendants reserve the right to oppose any such appeal or reconsideration request, and

2. The FDIC-R and Answering Defendants shall bear their own costs and attorneys’ fees in connection with this Stipulation of Voluntary Dismissal.

IT IS SO ORDERED.

Naomi Reice Buchwald
United States District Judge

June __, 2020